

NOTICE OF FORECLOSURE SALE

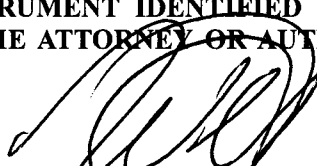
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

1. **Property to Be Sold.** The property to be sold is described as follows: SEE ATTACHED EXHIBIT A
2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 01/04/2002 and recorded in Document 2002-0014382 real property records of Collin County, Texas.
3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 11/01/2016
Time: 10:00 AM
Place: Collin County Courthouse, Texas, at the following location: SOUTHWEST ENTRANCE OF THE JACK HATCHELL COLLIN COUNTY ADMINISTRATION BUILDING OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.
4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.
5. **Obligations Secured.** The Deed of Trust executed by JOSEPH HARKER AND LOIS H. HARKER, provides that it secures the payment of the indebtedness in the original principal amount of \$332,160.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Dean Witter Capital I Inc. Trust 2002-AM2 is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Dean Witter Capital I Inc. Trust 2002-AM2 c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
6. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint WES WEBB, MICHAEL W. ZIENTZ, L. KELLER MACKIE, CARL NIENDORFF, TRACEY MIDKIFF, KRISTEN WALL, Donna Stockman or David Stockman, Substitute Trustee to act under and by virtue of said Deed of Trust.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Joseph Modric, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254



WES WEBB, MICHAEL W. ZIENTZ, L. KELLER MACKIE, CARL NIENDORFF, TRACEY MIDKIFF, KRISTEN WALL, Donna Stockman or David Stockman
c/o AVT Title Services, LLC
13770 Noel Road #801529
Dallas, TX 75380-1529

I am Wes Webb whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 9-12-16 I filed this Notice of Foreclosure Sale at the office of the Collin County Clerk and caused it to be posted at the location directed by the Collin County Commissioners Court.

Certificate of Posting

RECEIVED
COLLIN COUNTY, TEXAS
CLERK
STACEY KENDRICK

2016 SEP 12 PM 12:00

FILED

05094 01370

Loan No: 12094930TX
Borrower: JOSEPH Harker

Data ID: 583

LEGAL DESCRIPTION

Being a 2.914 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, and being all of Lot 1 and a part of Lot 3 of the Jack O'Neil Addition, an addition to Collin County, Texas, as thereof recorded in Volume G, Page 129 of the Map Records of Collin County, Texas, together with an easement described below, said 2.914 acre tract being more particularly described as follows:

BEGINNING at an iron rod found in the east line of Stinson Road, said point being in the south line of Hickory Hill Estates, said point being the northwest corner of said Lot 1;

THENCE South 89 degrees 41 minutes 00 seconds East, along the south line of said Hickory Hill Country Estates and the north line of said Lot 1, passing at a distance of 340.22 feet the common north corner of said Lot 1 and Lot 3, continuing a total of 495.80 feet to a fence corner post found for corner.;

THENCE South 00 degrees 13 minutes 42 seconds West, over and across said Lot 3, a distance of 256.05 feet to an iron rod found for corner.

THENCE North 89 degrees 41 minutes 00 seconds West, passing at a distance of 155.45 feet an iron rod found for the southeast corner of said Lot 1 and an inner all corner of said Lot 3, continuing a total distance of 495.67 feet to an iron rod found for corner in the east line of said Stinson Road;

THENCE North 00 degrees 12 minutes 01 seconds East along the east line of said Stinson Road, a distance of 256.05 feet to the POINT OF BEGINNING and containing in all a total of 2.914 acres of land, more or less, and being subject to any and all easements that may affect.

TOGETHER WITH AN EASEMENT APPURTENANT AND RIGHT-OR-WAY DESCRIBED AS FOLLOWS:

Being a 0.569 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, an being part of Lot 3 of the Jack O'Neil Addition, an addition to Collin County, as thereof recorded in Volume G, Page 129 of the Map Records of Denton County, Texas, and being that same easement conveyed to Allen And Cynthia Latimer as described by Warranty Deed filed in Volume 3758, Page 92 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found in the east line of Stinson Road, same point being the southwest corner of Lot 1 and the westernmost northwest corner of Lot 3 of said Addition;

THENCE South 89 degrees 41 minutes 00 seconds East, along the south line of said Lot 1 and a north line of said Lot 3, passing at a distance of 340.22 feet an iron rod found at the southeast corner of Lot 1 and an inner ell corner of said Lot 3, continuing a total of 495.67 feet to an iron rod found for corner;

THENCE South 00 degrees 13 minutes 42 seconds West, over and across said Lot 3, passing at a distance of 25.00 feet an iron rod found, continuing a total distance of 50.00 feet to an iron rod found for corner;

THENCE North 89 degrees 41 minutes 00 seconds West, passing at a distance of 155.45 feet an iron rod found at the northwest corner of Lot 2 of said Addition, continuing along the north line of said Lot 2 a total of 495.65 feet to an iron rod found for corner in the east line of said Stinson Road;

Apr 4 2011 12:02pm P024/039

Fax 7142476123